

STATE DEPARTMENT, USIA AUTHORIZATIONS

OCTOBER 8, 1974.—Ordered to be printed

Mr. HAYS, from the committee of conference,
submitted the following

CONFERENCE REPORT

[To accompany S. 3473]

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3473) to authorize appropriations for the Department of State and the United States Information Agency, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the House amendment insert the following:

That this Act may be cited as the "State Department—USIA Authorization Act, Fiscal Year 1975".

AUTHORIZATIONS OF APPROPRIATIONS

SEC. 2. (a) There are authorized to be appropriated for the Department of State for fiscal year 1975, to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States, including trade negotiations, and other purposes authorized by law, the following amounts:

- (1) for the "Administration of Foreign Affairs", \$370,045,000;*
- (2) for "International Organizations and Conferences", \$229,604,000;*
- (3) for "International Commissions", \$17,832,000;*
- (4) for "Educational Exchange", \$75,000,000; and*
- (5) for "Migration and Refugee Assistance", \$9,420,000.*

(b) There are authorized to be appropriated for the United States Information Agency for fiscal year 1975, to carry out international informational activities and programs under the United States Information and Educational Exchange Act of 1948, the Mutual Education and Cultural Exchange Act of 1941, and Reorganization Plan Num-

bered 8 of 1953, and other purposes authorized by law, the following amounts:

(1) for "Salaries and Expenses" and "Salaries and Expenses (special foreign currency program)", \$228,368,000, except that so much of such amount as may be appropriated for "Salaries and Expenses (special foreign currency program)" may be appropriated without fiscal year limitation;

(2) for "Special International Exhibitions", \$6,770,000; and

(3) for "Acquisition and Construction of Radio Facilities", \$4,400,000.

(c) In addition to amounts otherwise authorized, there are authorized to be appropriated to the Secretary of State for the fiscal year 1975 not to exceed \$40,000,000 to carry out the provisions of section 101(b) of the Foreign Relations Authorization Act of 1972, relating to Soviet refugee assistance.

(d) In addition to amounts authorized in subsections (a) and (b) of this section, there are authorized to be appropriated for fiscal year 1975 for the Department of State and for the United States Information Agency such additional amounts as may be necessary for increases in salary, pay, retirement, and other employee benefits authorized by law which arise subsequent to the date of enactment of this Act.

(e) Amounts appropriated under subsection (a) and clauses (2) and (3) of subsection (b) of this section are authorized to remain available until expended.

REPEAL OF THE FORMOSA RESOLUTION

SEC. 3. The joint resolution entitled "Joint resolution authorizing the President to employ the Armed Forces of the United States for protecting the security of Formosa, the Pescadores and related possessions and territories of that area", approved January 29, 1955 (69 Stat. 7; Public Law 84-4), and known as the Formosa Resolution, is repealed.

PUBLICATION OF POLITICAL CONTRIBUTIONS OF CERTAIN NOMINEES

SEC. 4. (a) Section 6 of the Department of State Appropriations Authorization Act of 1973 is amended by inserting after the first sentence the following new sentence: "The Chairman of the Committee on Foreign Relations of the Senate shall have printed in the Congressional Record each such report."

(b) The amendment made by subsection (a) of this section shall only apply with respect to reports filed on and after the date of enactment of this Act.

PROHIBITION ON USE OF FUNDS

SEC. 5. No part of any funds appropriated under this Act shall be used to make any payment to the Foreign Service Retirement and Disability Fund to meet any unfunded liability of such fund created by the inclusion of officers and employees of the Agency for International Development in the Foreign Service Retirement and Disability System.

PRIOR AUTHORIZATION BY CONGRESS

SEC. 6. Section 701 of the United States Information and Educational Exchange Act of 1948 is amended by adding at the end thereof the following new subsection:

"(e) The provisions of this section shall not apply to, or affect in any manner, permanent appropriations, trust funds, and other similar accounts administered by the United States Information Agency as authorized by law."

ANNUAL UNITED STATES INFORMATION AGENCY REPORTS TO CONGRESS

SEC. 17. Section 1008 of the United States Information and Educational Exchange Act of 1948 is amended to read as follows:

"SEC. 1008. The Secretary shall submit to the Congress annual reports of expenditures made and activities carried on under authority of this Act, including appraisals and measurements, where feasible, as to the effectiveness of the several programs in each country where conducted."

LIMITATION ON PAYMENTS

SEC. 8. There are authorized to be appropriated funds for payment prior to January 1, 1975, of United States expenses of membership in the United Nations Educational, Scientific, and Cultural Organization, the International Civil Aviation Organization, and the World Health Organization notwithstanding that such payments are in excess of 25 percent of the total annual assessment of such organizations.

ASSIGNMENT OF FOREIGN SERVICE OFFICERS TO PUBLIC ORGANIZATIONS

SEC. 9. (a) Part II of title V of the Foreign Service Act of 1946 is amended by adding after section 575 thereof the following new section:

"ASSIGNMENTS TO PUBLIC ORGANIZATIONS

"SEC. 576. (a) Not less than fifty Foreign Service officers shall, between their eighth and fifteenth years of service as such officers, be assigned in the continental United States during each fiscal year for significant duty with State or local governments, public schools, community colleges, or other public organizations designated by the Secretary. Such assignment shall be for twelve consecutive months. Each such Foreign Service officer shall be entitled to state a preference with respect to the type of public organization to which he would like to be assigned but may not state a preference with respect to the geographical location to which he would like to be assigned.

"(b) A Foreign Service officer on assignment under this section shall be deemed to be on detail to a regular work assignment in the Service, and the officer remains an employee of the Department while so assigned. However, any period of time an officer is assigned under this section shall not be included as part of any period that the officer has remained in a class for purposes of determining whether he is to be selected out under section 633 of this Act, or regulations promulgated pursuant thereto. The salary of the officer shall be paid

from appropriations made available for the payment of salaries of officers and employees of the Service.

"(c) Any period of time that a Foreign Service officer serves on an assignment under this section shall also be considered as a period of time that the officer was assigned for duty in the continental United States for purposes of section 572 of this Act.

"(d) For the purpose of this section—

"(1) 'State' means—

"(A) a State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and a territory or possession of the United States; and

"(B) an instrumentality or authority of a State or States as defined in subparagraph (A) of this paragraph (1) and a Federal-State authority or instrumentality; and

"(2) 'local government' means—

"(A) any political subdivision, instrumentality, or authority of a State or States as defined in subparagraph (A) of paragraph (1); and

"(B) any general or special purpose agency of such a political subdivision, instrumentality, or authority."

(b) The amendment made by subsection (a) of this section shall apply only to a Foreign Service officer who completes his eighth year of service as such an officer on or after the date of enactment of this Act.

DEATH GRATUITIES FOR CERTAIN FOREIGN SERVICE PERSONNEL

SEC. 10. The Act entitled "An Act to provide certain basic authority for the Department of State", approved August 1, 1956 is amended by inserting immediately before section 15 the following new section:

"SEC. 14. (a) Subject to the provisions of this section and under such regulations as the Secretary of State may prescribe, the Secretary is authorized to provide for payment of a gratuity to the surviving dependents of any Foreign Service employee who dies as a result of injuries sustained in the performance of duty outside the United States in an amount equal to one year's salary at the time of death. Appropriations for this purpose are authorized to be made to the account for salaries and expenses of the employing agency. Any death gratuity payment made under this section shall be held to have been a gift and shall be in addition to any other benefit payable from any source.

"(b) A death gratuity payment shall be made under this section only if the survivor entitled to payment under subsection (c) is entitled to elect monthly compensation under section 8133 of title 5, United States Code, because the death resulted from an injury (excluding a disease proximately caused by the employment) sustained in the performance of duty, without regard to whether such survivor elects to waive compensation under such section 8133.

"(c) A death gratuity payment under this section shall be made as follows:

"(1) First, to the widow or widower.

"(2) Second, to the child, or children in equal shares, if there is no widow or widower.

(3) Third, to the dependent parent, or dependent parents in equal shares, if there is no widow, widower, or child. If there is no survivor entitled to payment under this subsection, no payment shall be made.

"(d) As used in this section—

"(1) the term 'Foreign Service employee' means a chief of mission, Foreign Service officer, Foreign Service information officer, Foreign Service Reserve officer of limited or unlimited tenure, or a Foreign Service staff officer or employee;

"(2) each of the terms 'widow', 'widower', 'child', and 'parent' shall have the same meaning given each such term by section 8101 of title 5, United States Code; and

"(3) the term 'United States' means the several States and the District of Columbia.

"(e) The provisions of this section shall apply with respect to deaths occurring on and after January 1, 1973."

PRIOR AUTHORIZATION REQUIRED

SEC. 11. Subsection (a) of section 15 of the Act entitled "An Act to provide certain basic authority for the Department of State", approved August 1, 1956, is amended to read as follows:

"(a) (1) Notwithstanding any provision of law enacted before the date of enactment of the State Department-USIA Authorization Act, Fiscal Year 1975, no money appropriated to the Department of State under any law shall be available for obligation or expenditure with respect to any fiscal year commencing on or after July 1, 1972—

"(A) unless the appropriation thereof has been authorized by law enacted on or after February 7, 1972; or

"(B) in excess of an amount prescribed by law enacted on or after such date.

"(2) To the extent that legislation enacted after the making of an appropriation to the Department of State authorizes the obligation or expenditure thereof, the limitation contained in paragraph (1) shall have no effect.

"(3) The provisions of this section—

"(A) shall not be superseded except by a provision of law enacted after February 7, 1972, which specifically repeals, modifies, or supersedes the provisions of this section; and

"(B) shall not apply to, or affect in any manner, permanent appropriations, trust funds, and other similar accounts administered by the Department as authorized by law."

AUTHORITY AND RESPONSIBILITY OF AMBASSADORS

SEC. 12. The Act entitled "An Act to provide certain basic authority for the Department of State", approved August 1, 1956, as amended, is further amended by adding at the end thereof the following new section:

"SEC. 16. Under the direction of the President—

"(1) the United States Ambassador to a foreign country shall have full responsibility for the direction, coordination, and supervision of all United States Government officers and employees in

that country, except for personnel under the command of a United States area military commander;

"(2) the Ambassador shall keep himself fully and currently informed with respect to all activities and operations of the United States Government within that country, and shall insure that all Government officers and employees in that country, except for personnel under the command of a United States area military commander, comply fully with his directives; and

"(3) any department or agency having officers or employees in a country shall keep the United States Ambassador to that country fully and currently informed with respect to all activities and operations of its officers and employees in that country, and shall insure that all of its officers and employees, except for personnel under the command of a United States area military commander, comply fully with all applicable directives of the Ambassador."

TRAVEL EXPENSES OF STUDENT-DEPENDENTS OF STATE DEPARTMENT AND
USIA EMPLOYEES

SEC. 13. The first sentence of section 5924(4) (B) of title 5, United States Code, is amended by striking out "one trip each way for each dependent" and inserting in lieu thereof the following: "one annual trip each way for each dependent of an employee of the Department of State or the United States Information Agency, or one trip each way for each dependent of any other employee,".

INTERNATIONAL MATERIALS

SEC. 14. It is the sense of the Congress that the Secretary of State should, and he is authorized to, establish within the Department of State a bureau which shall be responsible for continuously reviewing (1) the supply, demand, and price, throughout the world, of basic raw and processed materials (including agricultural commodities), and (2) the effect of United States Government programs and policies (including tax policy) in creating or alleviating, or assisting in creating or alleviating, shortages of such materials. In conducting such review, the bureau should obtain information with respect to—

(A) the supply, demand, and price of each such material in each major importing, exporting, and producing country and region of the world in order to understand long-term and short-term trends in the supply, demand, and price of such materials;

(B) projected imports and exports of such materials on a country-by-country basis;

(C) unusual patterns or changes in connection with the purchase or sale of such materials;

(D) a list of such materials in short supply and an estimate of the amount of shortage;

(E) international geological, geophysical, and political conditions which may affect the supply of such materials; and

(F) other matters that the Secretary considers appropriate in carrying out this section.

FUTURE OF UNITED STATES ASSISTANCE TO SOUTH VIETNAM; REDUCTION
OF CERTAIN PERSONNEL ABROAD

Sec. 15. (a) It is the sense of the Congress that—

(1) the Secretary of State should prepare a detailed plan for future United States economic and military assistance to the Government of South Vietnam, including a specific timetable for the phased reduction of such assistance to the point when the United States will cease to be the principal source of funds and material for South Vietnam's self-defense and economic viability;

(2) the total number of personnel of the executive branch of the United States Government (other than personnel of the Department of State, the United States Information Agency, the Central Intelligence Agency, and the Department of Defense, and volunteers carrying out the Peace Corps Act) who were present in foreign countries on January 1, 1974, and who were citizens or nationals of the United States, should be substantially reduced; and

(3) the total number of personnel of the Department of Defense assigned or detailed to military attaché activities or to military assistance advisory groups or military aid missions, who were present in foreign countries on January 1, 1974, and who were citizens or nationals of the United States, should be substantially reduced.

(b) Not later than six months after the date of enactment of this Act the Secretary shall report to the Speaker of the House of Representatives and the Committee on Foreign Relations of the Senate on the steps he has taken to carry out the provisions of this section.

And the House agree to the same.

WAYNE L. HAYS,
THOMAS E. MORGAN,
CLEMENT J. ZABLOCKI,
PETER H. B. FRELINGHUYSEN,
VERNON W. THOMSON,
Managers on the Part of the House.

J. W. FULBRIGHT,
JOHN SPARKMAN,
MIKE MANSFIELD,
GEORGE AIKEN,
CLIFFORD P. CASE,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3473) to authorize appropriations for the Department of State and the United States Information Agency, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

The House amendment struck out all of the Senate bill after the enacting clause and inserted a substitute text, and the Senate disagreed to the House amendment.

The committee of conference recommends that the Senate recede from its disagreement to the amendment of the House, with an amendment which is a substitute for both the Senate bill and the House amendment.

The differences between the Senate bill, the House amendment, and the substitute agreed to in conference are noted below, except for clerical corrections, conforming changes made necessary by reason of agreements reached by the conferees and minor drafting and clarifying changes.

AUTHORIZATION OF APPROPRIATIONS

The following table shows, in thousands of dollars, the provisions of the Senate bill, the House amendment, and the conference substitute, with respect to the authorization of appropriations:

	Senate bill	House amendment	Conference substitute
Department of State:			
1. Administration of foreign affairs.....	\$370,045	\$360,785	\$370,045
2. International organizations and conferences.....	229,604	229,604	229,604
3. International commissions.....	17,832	17,832	17,832
4. Educational exchange.....	65,014	75,000	75,000
5. Migration and refugee assistance.....	9,420	9,470	9,420
6. Salary benefits.....	(¹)	11,500	(¹)
7. Soviet refugee assistance.....	50,000	40,000	40,000
Total, Department of State.....	741,915	744,191	741,901
USIA:			
1. Salaries and expenses.....	226,839	228,368	228,368
2. Special international exhibitions.....	6,770	6,770	6,770
3. Radio facilities.....	4,400	4,400	4,400
4. Salary benefits.....	(¹)	4,200	(¹)
Total, USIA.....	238,009	243,738	239,538
Grand total.....	979,924	987,929	981,439

¹ Open-ended authorization.

SHORT TITLE

Senate bill

The Senate bill provided that this legislation be cited as the "State Department/USIA Authorization Act, Fiscal Year 1975."

House amendment

The House amendment provided that this legislation be cited as the "Department of State and United States Information Agency Appropriations Authorization Act of 1974."

Conference substitute

The conference substitute is the same as the Senate provision.

TRANSFER OF FUNDS

Senate bill

The Senate bill provided that among the line items for the Department of State and among the line items for USIA transfers of funds would be authorized so long as no item was increased or decreased by more than 5 percent.

House amendment

No.

Conference substitute

The conference substitute omits the Senate provision.

REPEAL OF THE FORMOSA RESOLUTION

Senate bill

The Senate bill contained a provision repealing the "Joint resolution authorizing the President to employ Armed Forces of the United States for protecting the security of Formosa, the Pescadores and related possessions and territories in that area", approved January 29, 1955. It is popularly referred to as the Formosa Resolution.

House amendment

No.

Conference substitute

The conference substitute is the same as the Senate bill.

PUBLICATION OF POLITICAL CONTRIBUTIONS OF CERTAIN NOMINEES

Senate bill

The Senate bill contained a provision to require the Chairman of the Senate Committee on Foreign Relations to have printed in the Congressional Record reports on political contributions of nominees for ambassadorial appointments.

House amendment

The House amendment did not contain a comparable provision.

Conference substitute

The conference substitute is the same as the Senate provision.

PROHIBITION ON USE OF FUNDS

Senate bill

No provision.

House amendment

The House amendment prohibits the use of State Department funds for payments to the Foreign Service Retirement and Disability Fund to meet the unfunded liability resulting from the inclusion of officers and employees of A.I.D. in that retirement system. The conferees intend that such payments be funded from A.I.D. appropriations.

USIA UTILIZATION OF CERTAIN FUNDS

Senate bill

No provision.

House amendment

The House amendment contained a provision authorizing USIA to use any funds which may accrue to it under certain limited circumstances without further authorization. An example would be reparations paid by a foreign government for damage to USIA property.

Conference substitute

The conference substitute is the same as the House amendment.

ASSIGNMENT OF FOREIGN SERVICE OFFICERS TO PUBLIC ORGANIZATIONS

Senate Bill

The Senate bill required that every Foreign Service officer be assigned, sometime between his 8th and 15th year of service, to two years of non-State Department service in State or local government, public schools, or other public organizations—at State Department expense.

House amendment

No provision.

Conference substitute

The conference substitute requires such assignment for a minimum of 50 such Foreign Service officers per year and for a period of one year.

DEATH GRATUITIES

Senate bill

No provision.

House amendment

The House amendment authorized the payment of one-year's salary to dependent survivors of Foreign Service employees killed in line of duty abroad. This gratuity is in addition to any other benefits.

Conference substitute

The conference substitute is the same as the House amendment.

PRIOR AUTHORIZATION REQUIRED

Senate bill

The Senate bill requires that the annual authorization for State Department appropriations must be enacted before appropriations can be obligated.

House amendment

No provision.

Conference substitute

The conference substitute is the same as the Senate provision.

AUTHORITY AND RESPONSIBILITY OF AMBASSADORS

Senate bill

The Senate bill provided that the U.S. Ambassador to a foreign country is fully responsible for the activities of all U.S. Government employees assigned to duty in that country, except personnel under the command of a United States area military commander.

House amendment

No provision.

Conference substitute

The conference substitute is the same as the Senate provision, with a slight modification of wording.

TRAVEL EXPENSES OF STUDENT-DEPENDENTS

Senate bill

The Senate bill contained a provision authorizing government payment for one round-trip per year rather than one trip per four years, as presently authorized, for student-dependents of U.S. Government employees stationed abroad.

House amendment

No provision.

Conference substitute

The conference substitute limited this authorization for annual trips to student-dependents of personnel of the Department of State, A.I.D., and U.S.I.A.

INTERNATIONAL MATERIALS BUREAU

Senate bill

The Senate bill provided that there would be established in the State Department a new International Materials Bureau, to be responsible for reviewing continuously the situation surrounding international trade in various vital commodities and reporting periodically thereon to the Congress and the President.

House amendment

No provision.

Conference substitute

The conference substitute states it to be the sense of the Congress that such a bureau should be created, and authorizes its creation.

PLAN FOR FUTURE U.S. ASSISTANCE TO SOUTH VIETNAM

Senate bill

The Senate bill requires the submission to Congress of a detailed 5-year plan for future U.S. military and economic assistance to South Vietnam.

House amendment

No provision.

Conference substitute

The conference substitute declares it to be the sense of the Congress that such a plan should be prepared and requires a report to the Congress on such preparation within six months.

REDUCTION OF CERTAIN PERSONNEL ASSIGNED ABROAD

Senate bill

The Senate bill required reductions in certain U.S. personnel assigned abroad: (a) a reduction of 2 percent from the total of civilian-agency personnel assigned abroad (except for State Department, USIA, and CIA personnel and Peace Corps volunteers); and (b) a reduction of 10 percent in the total strength of military aid missions.

House amendment

No provision.

Conference substitute

The conference substitute declares it to be the sense of Congress that all such personnel should be substantially reduced and requires a report on such reductions within six months.

REORGANIZATION OF FOREIGN AFFAIRS LEGISLATION

Senate bill

The Senate bill contained a provision that, effective with fiscal year 1976, the executive branch consolidate the authorizations for the Department of State, USIA, the Peace Corps, the Arms Control and Disarmament Agency, Radio Free Europe, Radio Liberty, Foreign Service buildings, and foreign economic and military assistance into 3 annual bills, namely, foreign affairs, foreign economic assistance, and foreign military assistance.

House amendment

No provision.

Conference substitute

The conference substitute omits the Senate provision.

MILITARY BASE AGREEMENTS

Senate bill

The Senate bill provided that Congress must approve any military base agreement with a foreign country—including any extension or significant modification of an existing agreement—before funds can be expended to carry out the agreement.

House amendment

No provision.

Conference substitute

The conference substitute omits the Senate provision, which was dropped without prejudice to future consideration by the House and Senate.

DIEGO GARCIA AGREEMENT

Senate bill

The Senate bill provided that Congress must approve any new agreement with the United Kingdom concerning the U.S. base on Diego Garcia before funds can be expended to carry out the agreement.

House amendment

No provision.

Conference substitute

The conference substitute omits the Senate provision.

REVIEW OF POLICY TOWARD CUBA

Senate bill

The Senate bill stated it to be the sense of Congress that the time has come for a review of U.S. policy toward Cuba and the development of a new policy.

House amendment

No provision.

Conference substitute

The conference substitute omits the Senate provision.

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